

Appl. No. 09/657,213
Amtd. Dated July 26, 2004
Reply to Office Action of May 3, 2004

Attorney Docket No. 81752.0097
Customer No.: 26021

REMARKS/ARGUMENTS

Claims 1-44 were pending in the Application. By this Amendment, claims 1, 3, 11, 13, 19, 22 and 34 are being amended, and claims 2 and 12 are being cancelled. No new matter is involved.

In Paragraph 4 which begins on page 2 of the Office Action, claims 1-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,890,820 of Handa. This rejection is respectfully traversed.

Claim 1 is being amended to incorporate the limitations of claim 2 therein, with claim 2 being cancelled in view thereof. Claim 3, which depends from claim 1, is being rewritten in independent form. Claims 1 and 3 as so amended are submitted to clearly distinguish patentably over Handa.

In discussing claims 2 and 3 in Paragraph 4 of the Office Action, it is noted that such claims in effect recite the color or pattern of the character portion being set to be identical to the color or pattern of the background portion. The Office Action then admits that Handa does not disclose such features. However, the statement is made that as long as there is a decorative portion, such as an outline or shadow, whose color is different from the colors of the character and background portions, then the background and character portions may be of the same color or any other color, since the outline or shadow serves to differentiate between the background and the characters. The choice of colors for the background and character portions is said to be in accordance with the user's preference and therefore an obvious modification as a matter of design choice to one of ordinary skill in the art. Applicants respectfully traverse this rejection.

The methods of claims 2 and 3 do not simply involve an arbitrary choice of the second color. Rather, such color is a transparent color in accordance with claim 1 and a color identical to the color of the plain image in accordance with

Appl. No. 09/657,213
Amtd. Dated July 26, 2004
Reply to Office Action of May 3, 2004

Attorney Docket No. 81752.0097
Customer No.: 26021

claim 3. By making such color a transparent color in accordance with claim 1, the transparent color is assimilated with the background and set to the character color. Similarly, in the case of claim 3, the color is identical to a color of the plain image. Such concepts in accordance with the invention are not simply matters of arbitrary choice of color as suggested in the Office Action. They are neither disclosed nor suggested by Handa.

Claims 4-10 depend, directly or indirectly, from claim 1 and contain all of the limitations thereof. Therefore, claims 4-10 are also submitted to clearly distinguish patentably over the prior art.

Claims 11, 12 and 13 contain limitations similar to claims 1, 2 and 3 but define an apparatus rather than a method in accordance with the invention. Claim 11 is being amended to add the limitations of claim 12 thereto, with claim 12 being cancelled in view thereof. Claim 13 is being rewritten in independent form so as to incorporate the limitations of claim 11 from which it depends. Therefore, claims 11 and 13 as amended are submitted to clearly distinguish patentably over the prior art for the same reasons discussed above in connection with amended claims 1 and 3.

Claims 14-20 depend, directly or indirectly, from and contain all of the limitations of claim 11. Therefore, such claims are also submitted to clearly distinguish patentably over the prior art.

In Paragraph 5 on page 6 of the Office Action, claims 21-44 are allowed.

In conclusion, claims 1, 3-11 and 13-20 are submitted to clearly distinguish patentably over the art, in addition to allowed claims 21-44. Therefore, reconsideration and allowance are respectfully requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los

Appl. No. 09/657,213
Amdt. Dated July 26, 2004
Reply to Office Action of May 3, 2004

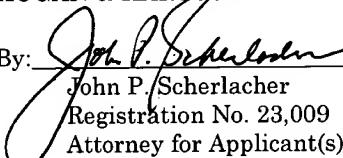
Attorney Docket No. 81752.0097
Customer No.: 26021

Angeles, California telephone number (213) 337-6846 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: July 26, 2004

By: 
John P. Scherlacher
Registration No. 23,009
Attorney for Applicant(s)

500 South Grand Avenue, Suite 1900
Los Angeles, California 90071
Phone: 213-337-6700
Fax: 213-337-6701